IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR BENCH, JAIPUR

ORDER

S.B.CIVIL WRIT PETITION NO.2929/2000.

Asfaque Khan. **VERSUS** U.O.I. & Ors.

05.12.2006.

HON'BLE MR.JUSTICE DALIP SINGH

Mr.Rajesh Chaturvedi on behalf of
Dr.P.C.Jain, for the petitioner.
Ms.Raj Sharma, for the respondent-U.O.I.
Mr.B.K.Sharma, Deputy Government Advocate.

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In this writ petition the petitioner has made following prayers :-

> "i) By directing the respondents No.1 to 4 to place the matter relating to case No.RCD-37, S/03-ST No.6/94 of the petitioner before the Reviewing Committee and the Reviewing Committee should decide the same and communicate the result of the review to the petitioner within a reasonable short period of time which the Hon'ble Court deems fit.
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> ii) By releasing the petitioner on bail till the result of Reviewing committee is not communicated to the petitioner in Sessions Case No.6/94 pending before the Designated Court of Rajasthan, Ajmer the Respondent No.3.
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> iii) Any other relief which your Lordships may deem fit and proper in the facts and circumstances of the case may kindly be passed in favour of the petitioner and against the respondents.
>
> iv) Cost of the writ petition may kindly be allowed in favour of the petitioner and against the Respondents."

Notice was issued to the respondents and reply has been filed by the respondents wherein para No.10 of the reply it has been stated as follows:-

> "10. That the contents of para 10 of the Writ Petition are not admitted. It is submitted that in pursuance of the directions of the Hon'ble Supreme Court, the Central Review Committee, in its meeting held on 5.7.1995, reviewed the cases of 21 accused, including the petitioner involved, relating to the Bomb blast in trains on 5.12.1993 and 6.12.1993 (Case Nos. 43(S)/93-CBI-LKD, RC 44(S)/93-CBI-LKD, RC 37(S)93-CBI-JPR, RC 43(S)/93-CBI-AHD, and RC 32(S)/93/CBI-HYBD). After detailed examination of all the relevant factors, the committee came to the conclusion that in case of all the 21 accused persons the provisions of TADA Act are attracted and have been correctly applied. As regard merit of the case against the petitioner, it is submitted that Designated Court, Ajmer has already framed charges against him and the trial is in progress. The framing of charges by the trial court has not been challenged by the petitioner."

In view of the above reply submitted by the learned counsel appearing on behalf of the respondents, no further directions are required to be issued. The respondents, if they have not communicated the decision of the Review Committee to the concerned court, may do so now.

Consequently, in view of the above, the writ petition as well as the stay application stand disposed of.

(DALIP SINGH),J.

Solanki DS, Jr.P.A.